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03500.016907

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	:	Examiner: E.V. Woods
MASAKI NAKANO, ET AL.	)	
	:	Group Art Unit: 2628
Application No.: 10/626,723	)	
	:	Confirmation No.: 2367
Filed: July 25, 2003	)	
	:	
For: SYSTEM FOR IMAGE	)	July 19, 2006
SUPERPOSITION AND	:	
COMPOSITING BLUR	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST TO WITHDRAW PREMATURE FINALITY OF OFFICE ACTION

Sir:

A final Office Action was mailed on June 13, 2006, in the above-identified application. For the reason set forth below, however, it is respectfully submitted that the Office Action should not have been made final.

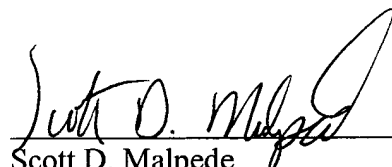
In the Office Action, all of the pending claims, i.e., Claims 1, 2, 4, 5, 7-10 and 12, were finally rejected under 35 U.S.C. §103. In making the action final, the Office Action indicates that the claims are drawn to the same invention claimed in the application prior to the entry of the submission under 37 C.F.R. §1.114 and could have been finally rejected on the grounds and art of record in the next Office Action if they have been entered in the application prior to entry under 35 U.S.C. §1.114.

M.P.E.P. §706.7(b) states that it would not be proper to make final a first Office Action in a continuing application where the application contains material which was presented in the earlier application after final rejection but was denied entry because new issues were raised that required further consideration and/or search. In the Advisory Action mailed February 9, 2006, the "new issues box" was checked and the Amendment After Final Rejection filed January 17, 2006, was not entered.

Accordingly, pursuant to M.P.E.P. §707.7(b), it is respectfully submitted that the finality of the Office Action is improper and should be withdrawn, and such action is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

  
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